

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
MONDAY, JUNE 14, 2004**

The Regular Town Board Meeting was opened at 7:05 p.m. Supervisor Kleiner presided. The Town Clerk called the Roll. Present were:

Councilman Denis O'Donnell (*Executive Session*)
Councilman Denis Troy (*Executive Session*)
Councilwoman Marie Manning (*Executive Session*)
Councilman Thomas A. Morr (*Executive Session*)

Also present: Charlotte Madigan, Town Clerk (*Executive Session*)
Eliot Tozer, Deputy Supervisor (*Executive Session*)
Suzanne Barclay, Executive Asst. to Supvr. (*Executive Session*)
Teresa M. Kenny, Town Attorney (*Executive Session*)
Charles Richardson, Director of Finance (*Executive Session*)
Ronald C. Delo, Environmental Mgt. & Eng. (*Executive Session*)
Kevin Nulty, Chief of Police
Robert Simon, Receiver of Taxes
Mary McCloskey, Assessor's Office
Ann Maestri, Supervisor of Fiscal Services

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The Pledge of Allegiance to the Flag was led by Charlotte Madigan, Town Clerk.

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RESOLUTION NO. 396

ENTER EXECUTIVE SESSION

Councilwoman Manning offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that this Town Board enters executive session at 7:05 p.m. to discuss contractual matters regarding STEJ.

Ayes: Councilpersons Manning, Morr, O'Donnell, Troy
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 397

RE-ENTER RTBM

Councilwoman Manning offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that this Town Board re-enter the Regular Town Board Meeting at 7:50 p.m.

Ayes: Councilpersons Manning, Morr, O'Donnell, Troy
Supervisor Kleiner
Noes: None

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Supervisor Kleiner announced there would be a meeting to discuss parking along Western Highway with the Traffic Advisory Committee, June 15th at 7:00 p.m. On June 29th there will be a second tour of the RPC Redevelopment site.

The STEJ contract for the indoor sports center should have a resolution at the RTBM of June 28, 2004.

Public Portion

Esta Baitler, Camp Venture, wants to know the status of the sidewalks for Rt 340. She requested Police control speeding on Rt 340.

Paul Valentine, Valentine Electric, is against a PLA. Would like to be considered for STEJ.

Trish Moran, Pearl River, is against liquor being served in STEJ's facility for children.

Rebecca Meinking, Pres. of ABC. ABC represents 68% of the construction industry in NYS.

She urges the Town against having a PLA and do what is in the best interest of the taxpayers, to bid the pool/community center project in an open market.

Ellen McCarty, Tappan, said the Town has not completed the plantings on her property as promised.

Albert Alexander, Pearl River, complained about an article in the Our Town newspaper.

Mike Henry, Pres. of Pearl River Ice Hockey, said STEJ would help extend the limit of the number of children able to play.

Eileen Larkin, Palisades, discussed the McGee Bond and new Bonds. She is concerned that information regarding the bonds is correct and understood.

Tom Quinlan, Pearl River, past Captain of Nyack Hockey Team, needed rink 65 years ago and still needs rink now. He is in favor of STEJ.

Catherine Dodge, Orangeburg, informed the Town Board that UPDAC will meet the first Wednesday of the month at 7:30 p.m.

Ed O'Dea, Pearl River, part of the hockey community, is anxious to get STEJ contract signed.

Mike Mitchell, Pearl River, complained about how the Police handled his complaint regarding the crossing guard at PRMS.

Stewart Kronrower, Pearl River, part of the hockey community, is anxious to get STEJ contract signed.

Mr. Finn, Orangeburg, questioned if there are building plans for property (Fern Oval East) adjacent to RPC site.

Andrew Wiley, Pearl River, wants referendum for pool.

Fran Oldenburger, Blauvelt, in favor of pool/community center. She is against down zoning, disagrees with PAC, and feels STEJ is too large.

Ralph Guinery, Global Electric, implores the Town to seriously consider a PLA.

Donald Brenner, Attorney for STEJ, explained the positive effects STEJ will have on the Town.

The Town Board reiterated the importance of the pool/community center and would like to see this move forward without a referendum. A referendum will cost approximately \$70,000 for a public vote.

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RESOLUTION NO. 398**CLOSE PUBLIC PORTION**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

RESOLVED, that the public portion is hereby closed.

Ayes: Councilpersons O'Donnell, Troy, Manning, Morr
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 399**SET PUBLIC HEARING DATE
THE HOLLOWS AT BLUE HILL
STEJ, LLC**

Councilman Troy offered the following resolution, which was seconded by Councilwoman Manning and was unanimously adopted:

RESOLVED, that the date of July 19, 2004 is set for a public hearing to receive comment regarding a PAC zone change application for *The Hollows at Blue Hill* (tax ID # 73.05-1-53.2) proposed by *STEJ, LLC*.

Ayes: Councilpersons Troy, Manning, O'Donnell, Morr
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 400**SET PUBLIC HEARING DATE
THE POINTE AT LAKE TAPPAN
PEARL RIVER VETERANS/ARC**

Councilman Troy offered the following resolution, which was seconded by Councilwoman Manning and was unanimously adopted:

RESOLVED, that the date of August 9, 2004 is set for a public hearing to receive comment regarding a PAC zone change application for *The Pointe at Lake Tappan* (tax ID # 73.10-1-4, 5, 6) proposed by *Pearl River Veterans, LLC (ARC Equities Inc.)*

Ayes: Councilpersons Troy, Manning, O'Donnell, Morr
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 401**COMBINE AGENDA ITEMS**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that agenda items four (4) through twenty-three (23) except item nineteen (19) are hereby combined.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 402**WAIVE FEES/SPARKILL
PALISADES FIRE DISTRICT
JOHN PAULDING ENGINE CO.**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the request of the Sparkill/Palisades Fire District and The John Paulding Engine Co., for a waiver of \$175.00 fee associated with the issuance of a building permit to erect an illuminated community interest sign on Firehouse property on Route 340 at Valentine Avenue, Sparkill is waived.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 403**AUTHORIZE/RE-APPLICATION
GRANT/NYS PARK & RECREAT
SALYER HOUSE**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that authorization is granted for re-application to the New York State Park and Recreation for a Grant of \$250,000.00 for renovation of the Salyer House with matching funds to come from private and Town sources.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 404**ADOPT POLICE REGULATION
VAN WARDT PLACE/OAK TREE RD**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that, installation of "No Parking Here to Corner for 100'" signs on both sides of Van Wardt Place starting at Oak Tree Road and "2-Hour Parking" on both sides of Van Wardt Place beyond the 100 feet is adopted. A Police regulation for a six (6) month trial period.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 405**AUTHORIZE EMERGENCY WORK
PEARL STREET PUMPING
STATION/S MAIN STREET**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that authorization is granted for emergency repair work to the Pearl Street Pumping Station Force Main near South Main Street made by W. Harris & Son, Inc. and United Water (amounts to be determined) on May 24 and 25, 2004, to be charged to Acct. #G8120/50475.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 406**AUTHORIZE EMERGENCY WORK
PRIMARY TANK #3/SEWER PLANT**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that authorization is granted for emergency repair work to Primary Tank #3 valve at the Town Sewer Plant made by Calmart in the amount of \$26,687 on April 23, 2004, to be charged to Acct. #G8120/50475.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 407**APPROVE FUNDING/AID
NEW YORK PHILOMUSICA**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that funding in the amount of \$2,500 for New York Philomusica for their summer concert, to be charged to Account No. A7550/50457 is hereby approved.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 408**APPROVE BUDGET ADJUSTMENTS
RESULTING FROM 2003 AUDIT**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that budget adjustments resulting from 2003 audit are hereby approved, labeled Exhibit 6-B-04 and made a part of these minutes.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 409**APPROVE PURCHASE/BULLET
PROOF GLASS/TAX RECEIVER**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the purchase of bullet-proof glass for the Receiver of Taxes Office in the amount of \$5500.00 with funding to be transferred from the Receiver's Office Acct. #A1330/50457 to Building Maintenance Acct. #A1620/50453 is hereby approved.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 410**APPROVE SIGNATURE AUTH
C. RICHARDSON & ANN MAESTRI**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the addition of Charles Richardson, Finance Director, and Ann Maestri, Director of Fiscal Services, as having signature authority on the Town's bank accounts for the purpose of transferring funds is hereby approved.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 411**AWARD BID/HIGHWAY DEPT
MULTI-PURPOSE ICE TRUCK**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for the *purchase of one (1) multi-purpose anti-icing tank truck with accessories*, which were received and publicly opened on May 26, 2004, and

WHEREAS, these bids were referred to the Superintendent of Highways for recommendation and report, a copy is labeled Exhibit 6-C-04, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that the bid for the *purchase of one (1) multi-purpose anti-icing tank truck with accessories* is hereby awarded to *Reed Systems Ltd. of Ellenville, NY*, the sole bidder, in the amount of \$69,500.00

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

RESOLUTION NO. 412**AWARD BID/HIGHWAY DEPT
BACKHOE LOADER**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for the *purchase of one (1) new backhoe loader and accessories*, which were received and publicly opened on May 26, 2004, and

WHEREAS, these bids were referred to the Superintendent of Highways for recommendation and report, a copy is labeled Exhibit 6-D-04, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that the bid for the *purchase of one (1) new backhoe loader and accessories*, is hereby awarded to *Ralph C. Herman, Marlboro, NY*, the sole bidder, in the amount of \$87,800.00

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 413**AWARD BID/HIGHWAY DEPT
LIGHTNING LOADER**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for the *purchase of one (1) lightning loader and accessories*, which were received and publicly opened on May 26, 2004, and

WHEREAS, these bids were referred to the Superintendent of Highways for recommendation and report, a copy is labeled Exhibit 6-E-04, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that the bid for the *purchase of one (1) lightning loader and accessories*, is hereby awarded to *Fanelli Industries, Bohemia, NY*, the sole bidder, in the amount of \$140,738.00.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 414**ESTABLISH/APPOINT/DEME
JAMES STEVENSON**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the position of Maintenance Mechanic II (reclassification of Sludge Processing Operator I #0285) is establish and James Stevenson is appointed to this position, grade 17-5, annual salary \$64,503, effective June 15, 2004.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner

Noes: None

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RESOLUTION NO. 415**ADV BIDS/REHABILITATION OF
CART PATHS/BLUE HILL GOLF**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

Resolution No. 415 – Continued

RESOLVED, that the Superintendent of Parks, Rec. & Bldg. Maint. is hereby authorized to advertise for sealed bids for *the rehabilitation of cart paths* at Blue Hill Golf Course and, Be It

RESOLVED FURTHER, that bids are to be received by 10:30 a.m., August 3, 2004, and publicly opened and read aloud at 11:00 a.m., and Be It

RESOLVED FURTHER, that a report of all bids received and recommendation concerning the award is to be made at a Regular Town Board Meeting.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 416**AWARD BID/BLUE HILL GOLF
BED KNIFE GRDR/BUNKER RAKE**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

WHEREAS, the Superintendent of Parks, Rec. & Bldg. Maint. duly advertised for sealed bids for the *purchase of one (1) bed knife grinder and one (1) bunker rake*, which were received and publicly opened on June 2, 2004, and

WHEREAS, these bids were referred to the Superintendent of Parks, Rec. & Bldg. Maint. for recommendation and report, a copy is labeled Exhibit 6-F-04, and made a part of these minutes, Now, Therefore, Be It

RESOLVED, that the bid for the *purchase of one (1) bed knife grinder*, is hereby awarded to *Wilfred MacDonald, South Hackensack, NJ*, the sole bidder, in the amount of \$12,495.00 and the bid for the *purchase of one (1) bunker rake*, is hereby awarded to *E/T Equipment Co., Inc., Croton, NY*, the sole bidder, in the amount of \$8,858.00.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 417**APPROVE CO-SPONSORED
FUNDING**

Councilman Troy offered the following resolution, which was seconded by Councilwoman Manning and was unanimously adopted:

RESOLVED, that upon the recommendation of the Superintendent of Parks, Recreation and Buildings, and the Youth Recreation Advisory Committee, co-sponsored funding to the *Orangetown Children's Society, in the amount of \$2,000.00 and Nyack Youth Collaborative, in the amount of \$2,000.00*, to be charged to Account No. A7310/50482 is approved.

Ayes: Councilpersons Troy, Manning, O'Donnell, Morr
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 418**APPROVE CERTIFICATE OF
REGISTRATION**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

Resolution No. 418 – Continued

RESOLVED, that upon the recommendation of the Town Attorney and the Director of the Department of Environmental Management and Engineering, a Certificate of Registration for Sewer Work for 2004 is hereby approved for MRJ Excavating, Inc.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 419**RECEIVE/FILE/BLAUVELT FIRE
SPECIAL ELECTION RESULTS**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the results of the Blauvelt Volunteer Fire Company Special Election, June 8, 2004 regarding an amendment to the Benefit Service Award Program are received and in filed in the Town Clerk's office.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 420**ACCEPT MINUTES**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the Regular Town Board minutes and Audit/Executive Session minutes of May 24, 2004 and Special Town Board minutes of June 2, 2004 and June 7, 2004 are hereby accepted.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

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RESOLUTION NO. 421**RECEIVE/FILE/DOCUMENTS
HEATHERFIELD SUBDIVISION
VEE BEE REALTY (S H HOMES)**

Councilman O'Donnell offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the following legal documents from Vee Bee Realty of Rockland, Inc. (a/k/a S. H. Homes) for Heathersfield Estate Subdivision (Shorn Dr., Blauvelt) are received and in filed in the Town Clerk's office.

1. Deed between Vee Bee Realty of Rockland, Inc. and the Town of Orangetown, dated January 18, 1995, Instrument ID: 2004-00028567
2. S & H Homes Drainage Easement and Emergency Access Easement between Vee Bee Realty of Rockland, Inc. and the Town of Orangetown, dated November 30, 1997, Instrument ID: 2004-00028579.
3. S & H Homes Sanitary Sewer Easement, between Vee Bee Realty of Rockland, Inc. and the Town of Orangetown dated November 30, 1997, Instrument ID: 2004-00028585.
4. S & H Homes Drainage Easement between Vee Bee Realty of Rockland, Inc., and the Town of Orangetown, dated November 30, 1997, Instrument ID: 2004-00028587.

Ayes: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner
Noes: None

RESOLUTION NO. 422

ADJOURNMENT

Councilman Troy offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that this meeting hereby adjourned at 9:43 p.m.

Ayes: Councilpersons Troy, Morr, O'Donnell, Manning
Supervisor Kleiner

Noes: None

Charlotte Madigan, Town Clerk